

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

KTD CORP. and DYMIN SYSTEMS, INC.)
D/B/A THE WIRELESS GUYS,)

Plaintiffs,)

v.)

NEXTEL PARTNERS, INC., NPCR, INC.)
and DOUGLAS JAMES,)

Defendants.)

Case No. _____

NOTICE OF REMOVAL

TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF IOWA

Defendants Nextel Partners, Inc., NPCR, Inc. and Douglas James by their undersigned
attorneys, respectfully state as follows:

1. On or about August 16, 2006, a civil action was commenced in the Iowa District
Court for Polk County entitled KTD Corp. and Dymin Systems, Inc. d/b/a The Wireless Guys v.
Nextel Partners, Inc., NPCR, Inc. and Douglas James, Polk County Case No. CL102980.
Defendants were served less than thirty days ago. A true copy of the Petition are attached hereto
as Exhibit A.

2. No further proceedings have been had herein.

3. All Defendants served in this action join in and consent to this removal.

4. Plaintiff alleges a federal cause of action under the Racketeering Influence and
Corrupt Organization (RICO) Act 18 U.S.C. §§ 1961 and 1962.

5. Jurisdiction exists in this Court pursuant to 28 U.S.C. § 1331. Supplemental
jurisdiction exists over state law claims as there is a common nucleus of operative facts.

6. Notice of Removal is timely filed under 28 U.S.C. § 1446(b).

7. Accordingly, this civil action is one over which this Court has original federal jurisdiction pursuant to 28 U.S.C. § 1331 and this action may be removed to this Court by the Defendants.

BELIN LAMSON McCORMICK ZUMBACH
FLYNN, A Professional Corporation

By 

Michael R. Reck, *lead counsel*
Christopher L. McDonald
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ATTORNEYS FOR DEFENDANTS

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon the parties to this action by serving a copy upon each of the attorneys listed below on 9-6-, 2006 by

☒ U.S. Mail ☐ FAX
☐ Hand Delivered ☐ Electronic Mail
☐ FedEx/ Overnight Carrier ☐ Other

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Signature: 